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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,631	10/07/2003	Gopalakrishna B. Prabhu	3522P01/CMP/CMP/RKK	5080
44257	7590	02/09/2006	EXAMINER	
PATTERSON & SHERIDAN, LLP 3040 POST OAK BOULEVARD, SUITE 1500 HOUSTON, TX 77056			ELEY, TIMOTHY V	
			ART UNIT	PAPER NUMBER
			3724	
DATE MAILED: 02/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/680,631	<b>Applicant(s)</b> PRABHU ET AL.	
	<b>Examiner</b> Timothy V. Eley	<b>Art Unit</b> 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 3-7, 11-15 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8-10, 16, 17 and 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1,2, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Joseph et al(5,643,062).

- Joseph et al disclose a platen(96) for supporting a polishing material(54) in a chemical mechanical polishing system, comprising; a body having an upper support surface adapted to support the polishing material during processing, wherein the upper support surface is substantially rigid and non-planar and the upper support surface has no planar portion. See figure 6, and column 8, lines 25-38.
- Regarding claim 2, the upper support surface is concave.
- Regarding claim 8, applicant's broad recitation of "patterned" is seen to be met by the Joseph et al apparatus since virtually every surface has a pattern.

3. Claims 1,2,8-10,19,20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bachand et al(6,793,561).

- Bachand et al disclose a platen(120) for supporting a polishing material(130) in a chemical mechanical polishing system, comprising; a body having an upper support surface adapted to support the polishing material during processing, wherein the upper support surface is substantially rigid and non-planar and

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the upper support surface has no planar portion, since inherent a concave or convex surface has a radius. See figures 1B and 1C, and column 4, lines 7-14.

- Regarding claim 2, the upper support surface is concave as seen in figure 1B.
- Regarding claims 8,9,10,16,17, and 20, the counter sunk screws inserted through apertures 125 produce a patterned surface with recesses, grooves, and raised portions around the recesses. See figure 2, and column 3, lines 17-24.

4. Claims 1,2,8-10,16,17, and 19-21 are rejected under 35

U.S.C. 102(e) as being anticipated by Hayashi et al(6,942,555).

- Hayashi et al discloses a platen(9,29) for supporting a polishing material therein in a chemical mechanical polishing system, comprising; a body having an upper support surface adapted to support the polishing material during processing, wherein the upper support surface is substantially rigid and non-planar and the upper support surface has no planar portion. See figures 1(a) and 2(a).
- Regarding claim 1, applicant's broad recitation of supporting a polishing material is met by Hayashi et al, since the platen(9,29) supports abrasive material on a upper surface thereof. See for example, column 2, lines 41-48.
- Regarding claim 2, the upper support surface is concave as seen in figure 1(a).

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- Regarding claims 8,9,10,16,17, and 20, Hayashi et al teaches a patterned surface with recesses, grooves, and raised portions.
- Regarding claims 19-21, inherently Hayashi et al uses a polishing head to support a gear for processing by the grindstone.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- The cited prior art discloses rigid platens having non-planar support surfaces.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

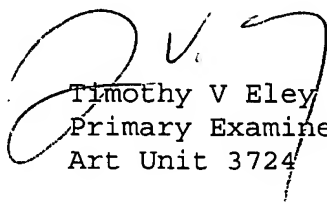
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley

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whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Timothy V Eley  
Primary Examiner  
Art Unit 3724

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